City of Seattle

Department of Planning and Development
D.M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number:	**3009795** 3009792 3009794
Applicant Name:	Terry Beals for Central Puget Sound Regional Transit Authority ("Sound Transit")
Address of Proposal:	**100 Broadway East** 1827 Broadway 1830 Broadway

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 15,500 sq. ft. transit facility (Sound Transit, Capitol Hill Station) including three station entry buildings and one 1,500 sq. ft. vent shaft: No. 3009795 (north station entry and ventilation shaft structure); No. 3009792 (west station entry located 1827 Broadway) and No. 3009794 (south station entry located at 1830 Broadway). This action is covered under the Final Environmental Impact Statement (November 1999) and the North Link Final Supplemental Environmental Impact Statement (April 2006), which were prepared by Sound Transit pursuant to the State Environment Policy Act. Subsequently, the Federal Transit Administration issued the Record of Decision under the National Environmental Policy Act, which lists committed mitigation for this action.

The following approvals are required:

Essential Public Facilities – SMC Chapter 23.80

SEPA - for conditioning only – SMC Chapter 25.05

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [X] EIS*

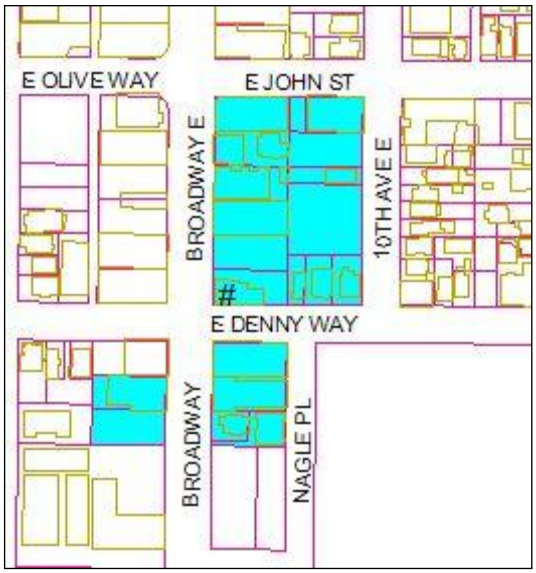
[ ] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition or another agency with jurisdiction.

* Final Environmental Impact Statement (November 1999) and the North Link Final Supplemental Environmental Impact Statement (April 2006) prepared by Sound Transit.

BACKGROUND DATA

Site Description



There are a total of 19 separate parcels within the Capitol Hill Station project site area. Existing street rights-of-way (Broadway and E. Denny Way) divide the project site area into three groups of parcels. The northern site is referred to in this application as "Site Area A": the southern site is "Site Area B"; and, the western site is "Site Area C".

Site Area A consists of 13 parcels within an entire block bounded on the west by Broadway East, on the east by 10th Avenue E., on the north by E. John Street, and on the south by E. Denny Way. Site Area B consists of 4 parcels located immediately south of E. Denny Way between Broadway and Nagle Place. Site Area C consists of two parcels located on the west side of Broadway, starting approximately 60 feet south E. Denny Way.

The Capitol Hill Station project site area is located within the Neighborhood Commercial 3 (NC3) zone and within the Capitol Hill Station Area Overlay District. The southernmost parcel in Site Area "C" also lies within the Major Institution Overlay for Seattle Central Community College. Parcels fronting on Broadway and Broadway East within Site Areas "A" and "B" are also zoned Pedestrian (P). The basic height limit in all three site areas is 40 feet. For parcels fronting on Broadway and Broadway East, the maximum building height may be extended to 65 feet, provided all uses above 40 feet are residential, per SMC 23.47A.012.A2. None of the parcels or site areas contains an Environmentally Critical Area (ECA) designation.

Project History at this Location

Sound Transit completed acquisition and ownership of all 19 parcels in 2008. Prior development within the Project Site area included seventeen buildings containing a mixture of residential and business/commercial uses, three commercial parking lots and one accessory parking lot. The demolition of these buildings and uses was reviewed and approved by DPD under MUP #'s 3007887, 3007888 and 3007889. Demolition of all existing structures and uses was necessary to provide areas for contractor staging during construction of the light rail transit facilities at the Capitol Hill site. Sound Transit has provided relocation assistance to former residential and business tenants displaced by the property acquisition pursuant to state and federal requirements and per Sound Transit's adopted relocation policy, procedures and guidelines.

Public Comments

The public comment period ended May 23, 2010. The project was re-noticed on August 1, 2010. The second public comment period ended on August 14, 2010. The Department received no comments during both comment periods concerning the proposal.

PROJECT DESCRIPTION

The proposed development is for Central Puget Sound Regional Transit Authority's (Sound Transit's) proposed construction and operation of a north extension to its Central Link light rail project with the ultimate goal of providing urban transportation improvements in the Central Puget Sound Metropolitan region. University Link is a 3.15-mile light rail extension that would run in twin-bored tunnels from downtown Seattle northward to the University of Washington, with stations at Capitol Hill and on the University of Washington campus near Husky Stadium. University Link would serve the three largest urban centers in Washington: downtown Seattle, Capitol Hill, and the University District.

Under this application, Sound Transit proposes to construct the Capitol Hill Station ("CHS"). The permanent above-ground structures at the Capitol Hill Station requested under this MUP application would consist of three above-ground station entrances (North Entry, South Entry and West Entry) and a separate ventilation shaft structure located to the south of the North Entry. The CHS includes a west entrance on the west side of Broadway connected by an underground concourse under Broadway to the station site.

Each entrance will have a number of design elements which are consistent among each of the buildings, such as clerestories, trellises as "green walls", tile patterns and other exterior treatments. Large public pedestrian entryways flanked with large windows allow natural light to penetrate interior public spaces. All three station entrances would provide public access to the below-ground station.

Sound Transit and SDOT entered into a Letter of Concurrence (dated February 17, 2011) to address the potential for revisions to the function and design of East Denny Way between Broadway and 10th Avenue East in the event that SDOT decides to convert this portion of City right-of-way to a festival street. A copy is included in the project file and contained in the plans.

The North Entry

The North Entry is located on E. John Street, near the corner of Broadway East and extending mid-block to the east toward 10th Avenue E. The building footprint of the North Entry at ground level is approximately 7,400 square feet. The building is generally L-shaped, 98 feet in length along the northern side, facing E. John Street, and 121 feet in length along the eastern side. The North Entry contains a covered lobby area; public stairs, escalators and elevator; electrical, mechanical and maintenance rooms; and, ventilation shafts. The average height of the North Entry is approximately 30 feet. The tallest portion of the structure is a ventilation shaft at the northeast corner which is approximately 37 feet in height. The exterior finish of the North Entry is designed with a combination of a brick, aluminum, a steel trellis that supports a "green wall", tile and glass. A landscaped outdoor area would be provided along the E. John Street frontage.

The South Entry

The South Entry is located at the corner of E. Denny Way and Nagle Place, across the street from Cal Anderson Park. The building footprint of the South Entry at ground level is approximately 4,500 square feet. The building is generally rectangular in shape, 106 feet in length on the east side facing Nagle Place and 42 feet in length on the north side facing E. Denny Way. The South Entry contains a covered lobby area; public stairs and elevator; electrical, mechanical and maintenance rooms; and, ventilation shafts. The height of the South Entry varies from approximately 25 feet in the central portion to 37 feet to the top of ventilation shafts near the north and south ends of the building. The exterior finish of the South Entry is designed with a combination of materials including brick, aluminum, trellis paneling, tile and glass. A landscaped outdoor area would be provided along the E. Denny Way and Nagle Place frontages.

The West Entry

The West Entry is located on the west side of Broadway, immediately adjacent to the existing commercial building located at the corner of Broadway and E. Denny Way. Public access from the West Entry to the underground station would be provided via a pedestrian tunnel under Broadway. The building footprint of the West Entry at ground level is approximately 3,620 square feet. The building is generally rectangular in shape, 44 feet in length on the east side facing Broadway and 72 feet in length on the north side abutting the adjacent commercial building reference above. The West Entry contains a covered lobby area; public stairs and elevator; and, a bicycle storage area. The height of the West Entry is approximately 25 feet. The exterior finish of the West Entry is designed with a combination of materials including concrete, aluminum, trellis paneling, tile and glass. A landscaped outdoor area would be provided along the Broadway frontage.

Ventilation Shaft

The separate Ventilation Shaft structure is located approximately 50 feet to the south of the North Entry. The building footprint of the Ventilation Shaft is approximately 1,500 square feet with dimensions of 49 feet by 32 feet. The height of the structure is approximately 28 feet. There is no public access to or from this structure. The North Entry will primarily screen this structure from views from E. John Street. It is anticipated that future transit-oriented development ("TOD") on the site would screen the ventilation shaft structure from views from all surrounding public streets.

ANALYSIS – ESSENTIAL PUBLIC FACILITIES

Pursuant to SMC 23.80.002, in reviewing an application for a proposed essential public facility, the Director considers a specified set of criteria listed in SMC 23.80.004. Based on the information provided by the applicant and review of the proposal by the Land Use Planner, the following findings are made with respect to the criteria cited:

1. Inter-jurisdictional Analysis. A review to determine the extent to which an inter-jurisdictional approach may be appropriate, including consideration of possible

alternative sites for the facility in other jurisdictions and an analysis of the extent to which the proposed facility is of a county- wide, regional or state-wide nature, and whether uniformity among jurisdictions should be considered.

The proposed Central Link light rail system is a component of the region's voter-approved Sound Move, Sound Transit's 10-year program for regional high-capacity transportation. As part of the development of Sound Move, and the preparation of the Environmental Impact Statement for the Central Link light rail line, a wide range of alternative routes were considered before selecting the proposed route. To achieve its purpose, the Central Link light rail system would extend through the most heavily populated portions of King County and Seattle and would be located in several local jurisdictions between SeaTac and North Seattle. The overall design of the system was based on an inter-jurisdictional approach to transportation planning in the region.

2. Financial Analysis. A review to determine if the financial impact upon the City of Seattle can be reduced or avoided by intergovernmental agreement.

The Final Environmental Impact Statement for the Central Link Light Rail Project addresses the potential impacts of the project, including the potential financial impact on the City of Seattle. The potential financial impact was considered by the Federal Transit Administration prior to issuance of its Record of Decision which included measures to mitigate potential impacts.

3. Special Purpose Districts. When the public facility is being proposed by a special purpose district, the City should consider the facility in the context of the district's overall plan and the extent to which the plan and facility are consistent with the Comprehensive Plan.

It appears that Sound Transit is not a Special Purpose District. Nevertheless, the City has considered the Central Link Rail Project in its entirety. The City participated in preparation of the Sound Move plan and in the Final Supplemental EIS for the North Link Project and was actively involved in the siting decisions for the various segments of North Link. As part of planning for the Central Link project, including the Capitol Hill Station that is the subject of this application, the City Council passed resolution 30993 (dated September 24, 2007) approving the alignment, transit station locations, and maintenance base location for the project in Seattle. The City's Comprehensive Plan directly supports the project. Comprehensive Plan Policy T34 calls for the City to support the development of an integrated regional transportation system that includes light rail. In addition, Policies T35 and T38.5 also address a potential light rail system.

4. Measures to Facilitate Siting. The factors that make a particular facility difficult to site should be considered when a facility is proposed, and measures should be taken to facilitate siting of the facility in light of those factors (such as the availability of land, access to transportation, compatibility

Potential impacts of the project and the measures to mitigate those impacts are discussed in the 1999 FEIS and the 2006 Supplemental FEIS for the North Segment. Please refer to the SEPA analysis included with this report.

***SMC 23.80.004 B**:*

This subsection states that if the decision maker determines that attaching conditions to the permit approval will facilitate project siting in light of the considerations identified above, the decision maker may establish conditions for the project for that purpose. Potential impacts of the project and the measures to mitigate those impacts are discussed in the 1999 FEIS and the 2006 Supplemental FEIS for the North Segment. Please refer to the SEPA analysis included with this report.

23.80.004 C: Light rail transit facilities.

1. Light rail transit facilities necessary to support the operation and maintenance of a light rail transit system are permitted in all zones and shoreline environments within the City of Seattle.

The proposed light rail transit facilities are permitted in the underlying Neighborhood Commercial 3 (NC3) zone of the subject site areas.

2. The Director may approve a light rail transit facility pursuant to Chapter 23.76, Master Use Permits and Council Land Use Decisions only if the alignment, transit station locations, and maintenance base location of the light rail transit system have been approved by the City Council by ordinance or resolution.

The City of Seattle City Council passed and the Mayor approved Resolution 30993 (dated September 24, 2007) approving the alignment, transit station locations, and maintenance base location for the Central Link project, including the Capitol Hill station that is the subject of this application. The proposed construction of station head houses, vent shaft with other art and landscape features are consistent with the approved Resolution.

3. When approving light rail transit facilities, the Director may impose reasonable conditions in order to lessen identified impacts on surrounding properties. A Master Use Permit is not required for at-grade, below-grade, or above-grade tracks and their supporting structures, below-grade facilities, minor alteration of light rail transit facilities involving no material expansion or change of use, and other minor new construction that, in the determination of the Director, is not likely to have significant adverse impacts on surrounding properties.

This Master Use Permit application is for the construction of three above-ground station entrances and a separate ventilation shaft structure. The project is an integral part of the overall transit system. Sound Transit issued a Supplemental FEIS for the proposed system in April 2006. The environmental documents identified potential impacts of the system and its components, as well as adequate mitigation measures. Please refer below to the SEPA analysis related to the mitigation of the potential impacts of this project.

4. When approving light rail transit facilities, the Director may impose conditions to ensure consistency with design guidelines developed for the light rail system by the City and the applicant.

The Light Rail Review Panel (LRRP) was established in 1998 with the express purpose of providing an integrated review of Sound Transit Link Light Rail by the City's Design, Planning, and Arts Commissions. The Panel is advisory to both Sound Transit and the City of Seattle. Its ultimate goal is to create a high quality light rail system for the City of Seattle and the region. The LRRP made design recommendations to Sound Transit to better achieve a design that enhances Seattle's civic identity. The Director of DPD did not develop Design Guidelines for the Capitol Hill station.

Sound Transit presented the subject proposal before the Light Rail Review Panel (LRRP) on August 16, 2007, September 20, 2007, March 20, 2008 and July 17, 2008. During its July 17, 2008 meeting the LRRP commended Sound Transit for successfully incorporating the LRRP's design recommendations, and the LRRP approved the wayfinding, architectural presence, material palette and art components for the approximately 70% complete design of the Capitol Hill station. The Panel discussed how the design might evolve further towards final design; these suggestions are contained in the approved meeting minutes (see project file). The Light Rail Review Panel hopes that their recommendations will be considered and integrated into the design refinements.

5. The Director may waive or modify development standards applicable to a light rail transit facility if the applicant demonstrates that waiver or modification of a development standard:

a. is reasonably necessary to allow the siting or proper functioning of a light rail transit facility; or

b. will lessen the environmental impacts of a light rail transit facility on site or on surrounding properties; or

c. will accommodate future development that will comply with development standards better than if the development standard waiver or modification were not granted.

There are components of the project design that do not meet the underlying zoning development standards for structures in a NC zone: 1) an increase in blank facades and 2) a reduction in street level transparency. Therefore, waiver or modification of these development standards is requested as follows:

1.) The Code states in SMC 23.47A.008A2c that the total of all blank facade segments shall not exceed 40 percent of the width of the façade of the structure along the street. The proposed design includes greater than 40 percent blank façade along the north façade (Denny Way) of the South Entry Building (Site B) for a total of 43.8 percent. Therefore, a waiver or modification is necessary to reasonably allow for the screening of the internal elevator shaft essential to the proper functioning of a light rail facility.

2.) The Code states in SMC 23.47A.008A3 that 60 percent of the street facing façade between two and eight feet above the sidewalk shall be transparent. The proposed design includes less transparency (54.3%) along the north façade (John Street) of the North Entry Building (Site A). Both the east (Nagle Place) and north (E Denny Way) facades of the South Entry Building contain less than the required transparency, 43.6% and 58.8% respectively. The West Entry (Site C) building has less than the required transparency along the east façade (Broadway) at 59.6%.

The blank wall portion of the North Entry Building (Site A) screens the internal vent shaft and a vegetated wall is proposed along that portion of the façade which does not contain the required transparency. The reduced transparency of the South Entry (Site B) includes facades that screen the stairwells and mechanical rooms. Vegetated screens have been located on these blank portions of these walls where the transparency is required along the east elevation. The reduced transparency of the West Entry (Site C) includes trellis work and façade walls that screen mechanical equipment and bike storage area. Given the substantial mechanical systems, venting systems, and other areas integral to a transit system that are not accessible by the public, screening of these uses by walls and screens is appropriate and facilitates the proper functioning of a light rail transit facility.

6. The Director may impose reasonable conditions on any waiver or modification of development standards to ensure consistency with design guidelines developed for the light rail system by the City and the applicant, and to lessen, to the extent feasible, environmental impacts of a light rail transit facility on site or on surrounding properties.

No design guidelines were developed for this station; however, the Light Rail Review Panel convened and reviewed the project at 70% design. While the Panel offered recommendations related to design refinements, the recommendations did not raise concerns or issue with the proposed development features that require modification of the development standards (transparency and blank walls). The location of the main entryway of the west station head house is setback to allow for pedestrian circulation to and from the facility and create an inviting and generous space expected for a public transit system. The Light Rail Review Panel supported the setback from Broadway and feel it is an appropriate response to the commercial nature of the street and differentiating that from the civic nature of a transit facility. No further conditions are warranted.

7. A Master Use Permit for light rail transit facilities shall not be issued until the Director has received satisfactory evidence that the applicant has obtained sufficient funding (which might include a Full Funding Grant Agreement with a federal agency) to complete the work described in the Master Use Permit application.

The applicant has obtained sufficient funding, including a Full Funding Grant Agreement from the FTA, to complete the work described in this application. The City's Sound Transit Program Manager with the Seattle Department of Transportation (SDOT) reviewed the Financial Capacity Statement submitted by Sound Transit for the proposal.

On April 14, 2010, the Program Manager confirmed that the Financial Capacity Statement meets applicable code criteria.

DECISION – ESSENTIAL PUBLIC FACILITY

The Essential Public Facility application and development standard waiver requests are **APPROVED**.

ANALYSIS – SEPA

Compliance with SEPA for this proposal was completed with the publication of the Central Link FEIS in November of 1999 and the North Link FSEIS in April 2006. Subsequently, on June 2006, the FTA issued the Record of Decision (ROD), which lists Sound Transit's committed mitigation for the North Link Project that includes this proposal. Sound Transit has lead agency status on this project, and the Director is using the November 1999 Central Link FEIS and the April 2006 North Link FSEIS. The proponent's MUP application's Section 6.0 provides a discussion about how the subject proposal complies with the SEPA requirements and Attachment D summarizes applicable environmental mitigation measures contained in the ROD. Information in the EIS documents, supplemental information provided by the applicant (plans, further project descriptions), and the experience of the City with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship among codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part:

> "[W]here City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations).

The Director hereby incorporates by reference the mitigation measures described in the Federal Transit Administration ROD for the North Link Light Rail Transit Project (June 2006) and mitigation measures included in Attachment C of the ROD. These mitigation commitments were identified in the North Link FSEIS. A summary of these mitigation measures is in the project file (Attachment D). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) additional mitigation can be considered. Thus, a more detailed discussion of some of the impacts is cited below.

Short-term Impacts

The following temporary or construction-related impacts are expected:

- Decreased air quality due to suspended particulates (dust) from excavation, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials.
- Increased dust caused by excavation activities and potential soil erosion and disturbance to subsurface soils during grading, excavation, and general site work;
- Increased traffic and demand for parking from excavation equipment and personnel;
- Conflicts with normal pedestrian and vehicular movement adjacent to the site;
- Increased noise and vibration; and,
- Consumption of renewable and non-renewable resources.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). In addition Federal and State regulations and permitting authority are effective to control short-term impacts on water quality. Compliance with these applicable codes and ordinances will reduce or eliminate most of the short-term impacts to the environment. Other impacts are further discussed below.

Air Quality

The indirect impact of construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project and therefore air quality mitigation is not necessary.

Construction Impacts

No significant vibration impacts are anticipated to result from the excavation. The FSEIS discloses that there would be vibration from some construction activities at the site, but that it is unlikely that any structural damage to adjacent or nearby properties would occur. During high vibration-producing activities, such as shoring installation, there is a potential for settlement and minor movements of nearby structures. Designs of suitable shoring systems will reduce the potential of settlement related damage. Pre-construction condition surveys will be completed and during construction monitoring programs will be implemented to ensure that vibration impacts are adequately minimized and mitigated.

Drainage and Earth

Any additional information required to verify conformance with applicable ordinances and codes (The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) will be required prior to issuance of any required building permits or demolition permits.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic and Parking

Construction traffic may increase congestion in the area. The impacts of station construction will likely be similar to the impacts discussed and approved under the previous permit for construction staging for the station area and tunnel. To mitigate the impacts of construction traffic, the applicant proposed a truck haul route for disposal of excavated soils and other construction debris from the site to Interstate-5. The truck haul route that was reviewed, finalized and approved by the Seattle Department of Transportation for the construction staging will continue to be in effect for the station construction.

The rights-of-way closures that have occurred for the construction of the construction staging area have temporarily displaced on-street parking spaces to accommodate the construction staging area. Additionally, some of the properties acquired by Sound Transit contained parking lots with parking accessory to the residential or commercial uses, as well as principal use parking. However, the construction of the Capitol Hill light rail station will provide substantially greater transit service to this neighborhood and is expected to provide reasonable mitigation for any spillover parking impacts.

Unrestricted on-street parking on Capitol Hill near the site is at capacity (89% parking utilization rate). The on-street spaces that will be temporarily impacted by construction are all "restricted" spaces (metered or time limit). The FSEIS discusses parking loss during construction (page 4-183 – 4-190. Table 4.17-4 and text on page 4-187) and indicates that parking will be displaced during construction. Although the numbers provided in the application are slightly different than those stated in the FSEIS, the proposed parking displacements are within the range of impacts described in the FSEIS for construction of the station options at Capitol Hill. The amount of on-street spaces that will be replaced after construction will not be known until SDOT issues the Project Construction Permit for final street improvements around the station area.

Discussion of construction worker parking impacts is on page 4-183 of the FSEIS. Regarding project-wide mitigation for traffic impacts due to construction of light rail, the Record of Decision, on page C-15 states: "Provide construction workers designated parking on- or off site as practical, to minimize neighborhood parking impacts. Contractor parking could also be

accomplished through satellite parking with a shuttle bus and/or parking management systems." Sound Transit is not proposing to provide parking for construction workers; the contractor is expected to locate and secure temporary parking areas for construction workers during construction. In the application materials, it states that Sound Transit staff will assist the contractor in locating available parking areas "to the extent feasible". Under the construction staging permit, the following condition was imposed "In order to ensure that the construction worker parking is addressed, the contractor shall develop and submit a Construction Parking Management Plan to DPD for review and approval." This condition will still be in effect at the time of station construction.

No new parking impacts, beyond what has been reviewed under the previous construction staging permit, are expected. Therefore, no further conditioning is warranted to mitigate short-term traffic or parking impacts.

Noise

Under Project Number 3011006, DPD approved a Major Public Project Construction Variance (MPPCV) from the maximum permissible sound level requirement of the Noise Control Code, Seattle Municipal Code (SMC) Chapter 25.08, for nighttime construction of the University Link light rail tunnel and station at the Capitol Hill Station site. It is anticipated that all construction activities related to the above-ground station features will take place during daytime hours as defined in the Noise Control Code (between 7:00am and 10:00pm on weekdays and between 9:00 am and 10:00 pm on weekends and legal holidays). Noise levels are expected to comply with all requirements specified in the Noise Control Code, unless a new MPPCV is approved.

Parkland

The subject site is adjacent to Cal Anderson Park (Lincoln Reservoir/Bobby Morris Playfield) a designated City Landmark. A Certificate of Approval, dated March 20, 2008, has been issued by the Landmarks Preservation Board regarding the removal of three trees and protection of one Chinese Scholar Tree, all within Cal Anderson Park during construction. A copy of the Certificate of Approval is included in MUP file together with a Letter of Concurrence from Sound Transit and Seattle Parks Department indicating Sound Transit will comply with all conditions stated within the Certificate of Approval. No further conditioning is warranted to mitigate short-term historic preservation or parkland impacts

Long-term Impacts

Examples of long-term or use-related impacts include energy consumption, demand for public services and utilities, height, bulk, and scale on the site, and traffic and demand for parking. According to the North Link FSEIS, the project itself will not directly generate air emissions because the trains will be electrically powered. Green house gas emissions would be reduced because fewer people would be driving during peak hours, since they would instead choose to commute by light rail. On a localized level, trips would increase in some locations as commute trips divert to station locations for passenger drop off and pick up. Potential for air quality associated with station operation are minimal (SFEIS, Section 4.5). Regarding energy used,

while the light rail project would consume additional electrical energy, it would also reduce the total energy consumed by other transportation modes, mostly reductions in petroleum use (SFEIS, Section 4.9). Regarding possible impacts to public services, such as fire/safety services, Sound Transit's Link Fire/Life Safety Committee, with representatives from SPD, and SFD, has addressed and developed a plan to ensure safety and security for the project (FSEIS Section 4.13. Regarding changes to utilities, no substantial difference would be expected in long-term utility services impacts between Capitol Hill to downtown Seattle corridor (FSEIS Section 4.14). In terms of height, bulk, and scale on the site, Sound Transit has briefed and incorporated input from multiple agencies and organizations including Seattle's Light Rail Review Panel to address and minimize long-term impacts of the project's scale.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code requires on-site collection of stormwater, with provisions for controlled tightline release to an approved outlet, and additional design elements to prevent isolated flooding. The Land Use Code controls site coverage, setbacks, building height and use, and contains other development and use regulations to assure compatible development. Generally, compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts. .

Air Quality

Please see discussion about long-term impact discussion for Air Quality above.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions), which include the Notification of Intent to Perform Demolition and Asbestos Removal and the Seattle Energy Code (long-term energy consumption).

The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise, increased pedestrian traffic; increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION - SEPA

Environmental impacts for the proposal were identified and analyzed in the FEIS and FSEIS issued by Sound Transit and the NEPA Record of Decision. While DPD has the authority to mitigate impacts pursuant to the city's SEPA practices, existing City codes and regulations are adequate to achieve sufficient mitigation for the proposal's environmental impacts. Therefore, the proposal is **APPROVED with CONDITIONS**.

CONDITIONS - ESSENTIAL PUBLIC FACILITIES

NONE.

CONDITIONS – SEPA

The applicant (Sound Transit) shall:

Prior to MUP Issuance (Non-appealable):

1. The plan sets must be updated to reflect the sidewalk width standards established in the Street Improvement Manual. All redline notations that have been added to the plans during the review of this proposal shall also be updated for the final plan set

Prior to scheduling the required site inspection for the first ground disturbance of the construction of the Link University of Washington station (pursuant to 2006 SBC, subsection 108.9.1

2. The contractor shall develop and submit a Construction Parking Management Plan to DPD for review and approval.

During Construction:

3. Adherence to the approved Construction Parking Management Plan.

Signature: (Signature on File) Date: August 8, 2011
Lisa Rutzick, Land Use Planner
Department of Planning and Development

LCR:jj
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